

Matthew S. Parmet (CSB # 296742)
matt@parmet.law

PARMET PC
440 N. Barranca Ave., #1228
Covina, CA 91723
phone: 310 928 1277

James E. Goodley (*Pro-Hac Vice*)
Ryan P. McCarthy (*Pro-Hac Vice*)

james@gmlaborlaw.com
ryan@gmlaborlaw.com

GOODLEY McCARATHY LLC
1650 Market Street, Suite 3600
Philadelphia, PA 19103
Telephone: (215) 394-0541

Attorneys for Plaintiff(s)

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

| | | |
|--|---|---|
| LILIBETH FERNANDEZ, individually and on behalf of all persons similarly situated, | : | Case No.: 22-cv-09079-HDV-AFM |
| | : | Class and Collective Action |
| Plaintiff(s), | : | |
| | : | [Assigned for All Purposes to the |
| v. | : | Honorable Hernan D. Vera] |
| | : | |
| | : | Date of Hearing: April 3, 2025, 10:00 a.m. |
| THE TOX CORPORATION, COURTNEY YEAGER and RYAN YEAGER, | : | Location of Hearing: CTRM 5B |
| | : | |
| Defendants. | : | PLAINTIFF’S MOTION FOR FINAL |
| | : | APPROVAL OF CLASS ACTION |
| | : | SETTLEMENT |

Plaintiff Lilibeth Fernandez through her undersigned counsel, hereby moves for final approval of the Class Action Settlement Agreement (“Agreement”) reached between Plaintiff and Defendants. Plaintiff respectfully requests, without opposition by Defendants, that the Court grant the following relief:

PARMET PC

1 1. Finally approve as fair, reasonable and adequate, the Agreement, a true and
2 correct copy of which is attached hereto as Exhibit 2.

3 2. Finally certify, under Fed. R. Civ. P. 23, for purposes of settlement, the
4 following "Settlement Class":
5

6 All current or former Technicians and Estheticians who performed work in New
7 York for The Tox Corporation or any of its affiliates from December 15, 2016,
8 who were not paid for training time.

9 3. Finally approve Plaintiff Lilibeth Fernandez as Class Representative of the
10 Settlement Class.

11 4. Finally approve a service award of \$5,000.00 to Plaintiff Lilibeth
12 Fernandez.

13 5. Finally approve James E. Goodley and Ryan P. McCarthy of the law firm
14 Goodley McCarthy LLC as Class Counsel for the Settlement Class.

15 6. Finally approve Class Counsel's attorney fees and costs of \$63,666.31.

16 7. Finally approve RG2 Claims Administration LLC as Settlement
17 Administrator to perform the notice and administration services described in the
18 Agreement.

19 8. Finally approve the Settlement Administrator's costs of claims
20 administration, in an amount not to exceed \$16,831.00.

21 9. Dismiss the action with prejudice, subject to the Court maintaining
22 jurisdiction over enforcement of the settlement.

23 Dated: March 5, 2025

Respectfully submitted,

25 /s/ **James E. Goodley**

26 By : _____

James E. Goodley*

Ryan P. McCarthy*

GOODLEY McCARTHY LLC

** Pro Hac Vice*

PARMET PC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28